



January 2, 2008

Via Facsimile

Hon. Deborah A. Batts
United States District Court
For the Southern District of New York
United States Courthouse
500 Pearl Street, Room 2510
New York, New York 10007

MEMO ENDORSED

Re: In re Lehman Brothers Holdings, Inc. Derivative Litig.
C.A. No. 07-CV-2990 (DAB)

Dear Judge Batts:

I am writing in connection with Plaintiffs' efforts to file the Verified Consolidated Shareholder Derivative Complaint (the "Consolidated Complaint"), which was due to be filed on December 28, 2007. Plaintiffs attempted to electronically file the document on the ECF server on Friday, December 28, 2007, but this office was advised that the site was having technical difficulties. We attempted again to electronically file the document on Monday morning, December 31, 2007 (when the Court was closed), and when we continued to have difficulty, we provided a courtesy copy to our adversary.

This morning, when the Clerk's office re-opened, we called and were told that, even though the case had been opened long ago with an original complaint, all amended complaints had to be filed in hard copy. When our process service attempted to file the hard copy, the filing was rejected for filing out of time (see attached). A courtesy copy of the Consolidated Complaint has been delivered to chambers.

Thus, I am writing to respectfully request that this Court grant Plaintiffs leave to file a hard copy of the Consolidated Complaint with the Clerk's office by January 3, 2008.

Leave to file by
January 7, 2008
granted
DAB
1/3/08

Respectfully submitted,

Beth A. Kaswan

SO ORDERED

cc: James Gamble

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